IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO.700 OF 2004
IN
CHAMBER SUMMONS NO.242 OF 2004
IN
CHAMBER SUMMONS NO.777 OF 2003
IN
EXECUTION APPLICATION NO.18 OF 2004

Manharlal Trikamdas Mody — Appellant
vs.
1. Sumikin Bussan International
(Hong Kong) Ltd. & ors. — Respondents.

Mr.A.S.Doctor i/b. M/s.Kanga & Co. for the appellant.

Mr.R.M.Kadam i/b. M/s.Khaitan & Co. for the respondent no.1.

Mr.H.N.Thakore i/b. M/s.Thakore Jariwala & Associates for the respondents 2 and 3.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 2nd November 2004

P.C.

Heard Mr.A.S.Doctor for the appellant.

2. This appeal is directed against the order dated 5th April 2004 passed by the learned Chamber Judge.

3. The impugned order was subject matter of challenge before us in Appeal No.612/2004 at the instance of the applicants Ms.Kalpu Gandhi and Mr.Aditya Gandhi. The said applications took out chamber summons no.242/2004

in Execution Application no.18/2004 for raising the attachment of flat no.201 on 20th floor of the Building Silver Arch, situate at 66, Nepean Sea Road, Mumbai together with two car parking spaces nos. 12 and 85 on P1 and P2 levels of the said building. The present appellant was not even the applicant in chamber summons no.242/2004, but simply intervened in the matter. In the light of our order dated 30th September 2004 dismissing the appeal no.612/2004, this appeal does not deserve to be admitted.

4. Appeal is dismissed in limine accordingly.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)